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09/587,525	06/05/2000	Gerald Isaac Kestenbaum	RM003	7398

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PROSKAUER ROSE LLP
1585 BROADWAY
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EXAMINER

VIG, NARESH

ART UNIT	PAPER NUMBER
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3629

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05/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/587,525	Applicant(s) KESTENBAUM, GERALD ISAAC	
	Examiner Naresh Vig	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 98-100 and 102-160 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 98-100 and 102-160 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in reference to Appeal Brief received on 08 January 2007. Applicant's argument on page 17 of the appeal brief stating that the prior art status of Yahoo.com could not be determined. It is deemed that applicant did not receive the Yahoo.com reference. Missing reference Yahoo.com is being provided to the applicant with this office action. Claims 98 – 100 and 102 – 160 are pending for examination.

Response to Arguments

Applicant's argument and concerns for amended claims and newly added claims are responded to in response to pending claims in this office action.

Priority

Applicant's claim of an earlier priority date with the filing of declaration will not be considered because newly added claims add limitation which are not supported by Exhibit A filed with the Declaration received by the office on 02 February 2005. For example:

Claims 119, 120 and 158, recite limitation of biometric data for secure remote verification of users.

Claim 121 recite the limitation providing aggregated data for said first building and a second building.

Claim 132 recite the limitation permitting access to information stored on said central computer based on a type of user.

Claim 136, recite the limitation associating an electronic document in said electronic library with an expiration date.

Claim 142 and 152, recite the limitation transmitting said notification in response to said electronic document being added to said electronic library.

Claim 143, recite the limitation transmitting said notification in response to said electronic document being updated.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 121 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.. For example:

Claim 112 and 136 recite the limitation designating said instruction as being inactive upon expiration of a specified time period.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 112 and 136 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are:

Monitoring of time of instruction to determine when to designate the instruction to be inactive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 98 – 100, 102 – 111, 113 – 118, 121 – 134 and 139 – 143 and 159 – 160 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aihara et al. Japanese Patent JP410229413A hereinafter known as Aihara.

Regarding claims 98, 109 and 159 – 160, Aihara teaches system and method and computer program for exchanging information among tenants. Aihara does not explicitly teaches exchanging information for a collaborative real estate management

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system for exchanging information among tenants and an individual associated with management of a building (type of a user). However, it would have been obvious to one of ordinary skill in the art at the time the invention Aihara teachings of plurality of user devices from which one of the device can be given to an individual associated with management of a building to exchange information with the tenants.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aihara and have one of the users be an individual associated with management of a building to allow the tenants to electronically communicate with the building management team.

Aihara in view of modification teaches:

a computer system in communication with data input and output devices accessible by said tenants and said individual associated with management of said building

computer system including one or more processors networked together and programmed to process data relating to management of said building;

said one or more processors being further programmed

i) to receive a communication relating to management of said building from a device associated with at least one of said tenants, said communication including data indicating an instruction being associated with a task performed by said individual, said individual being associated with a front desk of said building a front gate of said building or a combination thereof (applicant is claiming type of users for exchange of information and type of message generated by the tenant),

ii) to associate said instruction with said at least one of said tenants using an identifier (Aihara teaches email for communication)

iii) to store said instruction and said identifier on said computer system (emails are stored for later retrieval by a recipient at a later time)

iv) to enable said individual to search said computer system to obtain said instruction using a computing device associated with said individual (Aihara teaches a user can use their device to access information),

It is obvious that Aihara system is capable of exchange information as desired by the applicant and wherein Aihara computer system is capable to enable interaction by tenants with individual, through the system.

Regarding claim 99, it is inherent that Aihara computer system includes a database (storage means).

Regarding claim 100, it is inherent that Aihara storage means capable of storing data which includes a library of documents relating to said building which documents are accessible for viewing, storing, and editing by said tenants, a staff member, building manager, or any combination thereof (applicant is claiming type of data stored on a computer system as their invention)

Regarding claim 102, Aihara teaches computer system for exchange communication plurality of users. It is inherent that Aihara system has processor which

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is programmed to receive a communication relating to information regarding a service request among said tenants (applicant is claiming contents of an electronic message as their invention), a staff member, building manager (applicant is claiming type of user as their invention).

Regarding claims 103 – 104, as responded to earlier, it is inherent that Aihara is capable to receive a communication relating to package delivery and pickup information from a device associated with said individual (e.g. users can also find out how neighbors rate local restaurants, doctors or schools, user choice for the content of the message, field of use).

Regarding claim 105, Aihara teaches capability to receive information posted by one of said tenants for viewing by other tenants of said building (e.g. list items for sale in the classifieds, print discount coupons from local merchants, and chat or play games in real time with other residents).

Regarding claim 106 – 108, it is inherent that Aihara storage means is capable of storing data which the user want to store on the storage means for later retrieval.

Regarding claims 110, 113, as responded to earlier, Aihara is capable of exchange information among tenants. It is inherent that Aihara is capable of handling a message which includes instruction as desired by the user. (applicant is claiming content in a message as their invention).

Regarding claim 111, Aihara teaches communication among tenants. It is inherent that Tenants units have numbers to differentiate their unit from other tenant's units. Therefore, it is inherent that Aihara is capable of handling message with information which identifies a unit number associated with said tenant.

Regarding claim 114, it is inherent that Aihara storage means is capable of storing data which the user want to store on the storage means for later retrieval (applicant is claiming type of data stored and key assigned to storing data in the storage means as their invention).

storing information regarding pick-up, by said tenant, of said package, said laundry, or said any combination thereof; and

associating said stored information with said instruction (e.g. email has associated information which teaches who originated the email).

Regarding claim 115, Aihara teaches communication among plurality of users. Therefore, it is inherent that Aihara is capable of handling the generated information which contains notification associated with said instruction, and transmitting the transmitting said notification to said computing device associated with said tenant (e.g. deliver of email).

Regarding claim 116, Aihara teaches exchanging information among plurality of devices. It is inherent that one of the device can be placed in public area for a public display of information as desired by the user the system.

Regarding claim 117, as responded to earlier, it is inherent that one of the devices can be placed in public area like entranceway associated with a building, an elevator associated with a building, another public area associated with a building etc.

Regarding claim 118, as responded to earlier, it is inherent that Aihara is capable of displaying said first instruction, a portion of said first instruction, said identifier, or any combination thereof to a public display (applicant is claiming content of information on a display screen as their invention).

Regarding claim 121, Aihara teaches using LAN to interconnect plurality of user devices, it is inherent that Aihara is capable of providing aggregated data for said first building and a second building (intranet, plurality of buildings).

Regarding claim 122, as responded to in response to claim 109, Aihara teaches tenant is a first tenant and said individual is a first individual (one of the users of Aihara) further comprising:

receiving a request for service via a computing device associated with a second tenant associated with said building (recipient receiving email from a tenant);

storing said request for service on said central computer (has been responded to earlier, storing of email in storage for later retrieval by the recipient); and

enabling a second individual to search said central computer to obtain said request for service using a computing device (enabling recipient to be able to access the email).

Regarding claim 123, Aihara teaches first individual is identical to said second individual (applicant is claiming type of users as their invention).

Regarding claim 124, as responded to earlier, Aihara teaches communication between plurality of users over a LAN. It is inherent that Aihara is capable of providing aggregated data for said first and second buildings, said data comprising said request for service and another request for service associated with said second building.

Regarding claim 125, as responded to earlier, Aihara teaches capability to handle message which comprises a title, a category selected from a list, a request description, an urgency rating, an email address, a contact information, an instruction for an additional parties, or any combination thereof (e.g. email header).

Regarding claim 126, as responded to earlier, it is inherent that Aihara has capability for enabling a user, using a computing device, to search said central

computer to obtain a list of search results including said request for service (e.g. unopened emails).

Regarding claim 127, Aihara teaches exchange of emails among users. It is inherent that user can sort email (e.g. Lotus Notes, Microsoft Outlook etc.). Therefore, it is inherent that Aihara has the capability enabling said user to sort said list of search results by unit number, request category, date opened, priority, status, or any combination thereof (applicant is claiming sorting of data as their invention).

Regarding claim 128, it is inherent that Aihara teaches enabling a user associated with building management to modify said request for service (e.g. user responding to the email).

Regarding claim 129, it is inherent that Aihara is capable for allowing users to modify (forwarding the message) request for service which can comprise changing a category of said request, assigning a priority to said request, opening said request, closing said request, placing said request on hold until a certain date, recording an amount of time spent on a task related to said request, entering a dollar amount of costs which can be charged to said second tenant associated with said request, posting a comment to said request log etc. (applicant is claiming content of a message as their invention).

Regarding claim 130, it is inherent that Aihara is capable of transmitting a notification in response to said request for service (transmitting of email).

Regarding claim 131, Aihara teaches transmitting an email.

Regarding claim 132, Aihara teaches capability of permitting access to information stored on said central computer based on a type of user (e.g. authorized user like a tenant; applicant is claiming type of user as their invention).

Regarding claims 133 – 134, Aihara teaches type of user comprises a tenant (applicant is claiming type of users as their invention).

Regarding claim 139, it is inherent that Aihara can accommodate board members as users.

Regarding claims 140 – 143, it is inherent that Aihara can transmit a notification in response to an electronic document (e.g. email).

Regarding claim 160, as responded to earlier in response to claim 109, Aihara teaches a collaborative real estate management system for exchanging information among tenants and an individual associated with management of a building (responded to response to claim 109), comprising:

a computer system in communication with data input and output devices accessible by said tenants and said individual (responded to response to claim 109), the computer system comprising:

a means for receiving an instruction from one or more of said devices associated with a first tenant associated with said building, said instruction being associated with a task performed by said individual, wherein said individual is associated with a front desk of said building, a front gate of said building etc. (responded to response to claim 109);

a means for associating said instruction with said first tenant using an identifier (inherent with an email, responded to response to earlier);

a means for storing said instruction and said identifier on a central computer (responded to response to claim 109); and

a means for enabling said individual to search said central computer to obtain said instruction using one or more of said devices associated with said individual (responded to response to claim 109).

Claim 112 and 136 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aihara et al. Japanese Patent JP410229413A hereinafter known as Aihara in view of Abe Japan Patent JP 08097850.

Regarding claims 112 and 136, Aihara does not teach designating said instruction as being inactive upon expiration of a specified time period. However, Abe

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teaches designating said instruction as being inactive upon expiration of a specified time period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aihara as taught by Abe to monitor messages.

Claim 119 and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aihara et al. Japanese Patent JP410229413A hereinafter known as Aihara in view of Strait et al. US Patent 6,038,315 hereinafter known as Strait.

Regarding claim 119, Aihara does not teach receiving biometric data. However, Strait teaches receiving biometric data for secure remote verification of users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aihara as taught by Strait for secure remote verification of users.

Regarding claim 120, Aihara in view of Strait teaches capability of comparing said received biometric data with biometric data stored on said central computer [Strait Fig. 2 and disclosure with Fig. 2].

Claim 135, 137, 138 and 144 – 156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aihara et al. Japanese Patent JP410229413A hereinafter known as Aihara in view of Yahoo.com.

Regarding claim 135, Aihara teaches providing bulletin board. Aihara does not teach an electronic library including one or more electronic documents. However, Yahoo teaches electronic library including one or more electronic documents.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aihara as taught by Yahoo to provide remoter access of documents to users.

Regarding claim 144, Aihara in view of Yahoo teaches enabling a user to search said electronic library using a keyword.

Regarding claim 145, Aihara in view of Yahoo teaches capability for allowing access to said electronic library by users associated with said first building and users associated with a second building (users from plurality of locations).

Claim 146, as responded to earlier in response to claim 122, Aihara in view of Yahoo teaches capability for:

receiving a request for service via a computing device associated with a second tenant associated with said building;

storing said request for service on said central computer;
enabling a second individual to search said central computer to obtain said request for service using a computing device; and
providing an electronic library including one or more electronic documents.

Regarding claim 147, as responded to earlier in response to claim 121, Aihara in view of Yahoo teaches providing aggregated data for said first and second buildings.

Regarding claim 148, as responded to earlier, Aihara in view of Yahoo teaches capability for message to comprise an email address (e.g. header of an email).

Regarding claim 149, as responded to earlier, Aihara in view of Yahoo teaches transmitting a notification.

Regarding claim 150, as responded to earlier, Aihara in view of Yahoo teaches transmitting an email message.

Regarding claims, 137, 138 and 151, Aihara in view of Yahoo teaches associating permissions with an electronic document in said electronic library, said permissions defining which users can access, view, update etc. the electronic document. For example, search over the internet from Yahoo.com allows users only view the content, but does not allow the users to update the content. Another example

is controlled access bulletin boards, chat rooms etc., corporation bulletin boards which can provide company rules and regulation documents online which can be read by employees but updated or replaced by authorized users only.

Regarding claim 152, as responded to earlier, Aihara in view of Yahoo teaches capability to transmit a notification in response to an electronic document (e.g. email).

Regarding claim 153, Aihara in view of Yahoo teaches capability of permitting access to information stored on said central computer based on a type of user (e.g. authorized user like a tenant; applicant is claiming type of user as their invention).

Regarding claim 154, as responded to earlier. Aihara in view of Yahoo teaches capability of handling message with instruction associated with package delivery, laundry delivery, etc.

Regarding claim 155, as responded to earlier in response to claim 116, Aihara in view of Yahoo teaches transmitting data representing said first instruction, a portion of said first instruction, said identifier, or any combination thereof to a public display.

Regarding claim 156, as responded to earlier in response to claim 117, Aihara in view of Yahoo teaches public display comprises a display which can be placed in an

entranceway associated with said building, an elevator associated with said building, another public area associated with said building etc.

Claims 157 and 158 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aihara et al. Japanese Patent JP410229413A hereinafter known as Aihara in view of Yahoo.com and further in view of Strait et al. US Patent 6,038,315 hereinafter known as Strait.

Regarding claim 157, Aihara in view of Yahoo does not teach receiving biometric data. However, Strait teaches receiving biometric data for secure remote verification of users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aihara as taught by Strait for secure remote verification of users.

Regarding claim 158, Aihara in view Yahoo and Strait teaches capability of comparing said received biometric data with biometric data stored on said central computer [Strait Fig. 2 and disclosure with Fig. 2].

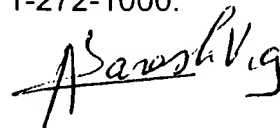
Conclusion

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naresh Vig
Examiner
Art Unit 3629

May 10, 2007